

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-CV-11897-WGY

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MASSAMONT INSURANCE  
AGENCY, INC.,

Plaintiff,

UTICA MUTUAL  
INSURANCE COMPANY,

Defendant.

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**PLAINTIFF'S EMERGENCY MOTION TO EXTEND DISCOVERY DEADLINES**

In the event plaintiff's alternative request, as set forth in its Opposition to Defendant's Emergency Motion for a Protective Order, failed to meet the requirements of Local Rule 7.1, the plaintiff, Massamont Insurance Agency, Inc., hereby moves to extend the remaining discovery deadlines set forth in the Joint Statement by sixty (60) days. Specifically, Massamont proposes the following revisions:

<u>Activity</u>	<u>Former Deadline</u>	<u>Revised Deadline</u>
All lay depositions completed	May 31, 2006	July 31, 2006
Expert witnesses designated by party with burden of proof <sup>1</sup>	June 16, 2006	August 16, 2006
Depositions of expert witnesses completed	July 31, 2006	September 30, 2006

These enlargements will neither delay the proceedings in this matter, nor cause prejudice to the defendant, Utica Mutual insurance Company. In further support of this Motion, the plaintiff

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<sup>1</sup> Opposing expert witnesses should still be designated within twenty-one (21) days thereafter.

submits the Memorandum attached hereto.

WHEREFORE, the plaintiff, Massamont Insurance Agency, Inc., respectfully requests that this Court extend the discovery deadlines set forth in the Joint Statement by sixty (60) days.

The Plaintiff,  
MASSAMONT INSURANCE AGENCY, INC.,

By its attorneys,  
**PIERCE, DAVIS & PERRITANO, LLP**

/s/ John J. Davis

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**Certificate of Compliance**

Counsel for the plaintiff, Massamont Insurance Agency, Inc., hereby certifies that he conferred with counsel for the defendant, Utica Mutual Insurance Company, and attempted in good faith to resolve or narrow the issues in compliance with Local Rule 7.1(A)(2).

/s/ John J. Davis

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Dated: June 15, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on this day a true copy of the above document was served upon each attorney of record by electronic mail.

6/15/06      /s/ John J. Davis

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